

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

TERRY SIMONTON, JR.,	:	CIVIL ACTION NO. 1:09-CV-0233
Plaintiff	:	
	:	(Judge Conner)
v.	:	
	:	
	:	
FRANKLIN TENNIS, et al.,	:	
Defendants	:	

ORDER

AND NOW, this 1st day of November, 2010, upon consideration of plaintiff's failure to comply with this court's order of October 7, 2010 (Doc. 53), directing him to comply with Local Rule 56.1 (stating "[t]he papers opposing a motion for summary judgment shall include a separate, short, and concise statement of the material facts, responding to the number paragraphs set forth in the statement . . . as to which it is contended that there exists a genuine issue to be tried"), it is hereby ORDERED that:

1. Plaintiff is afforded a final opportunity to file, on or before November 10, 2010, a statement of material facts specifically responding to the numbered paragraphs in defendants' statement of material facts (Doc. 29). See L.R. 56.1.
 - a. Plaintiff's statement of material facts shall include specific references to the parts of the record that support the statements and shall comply in all respects with Local Rule 56.1.
 - b. Failure to timely file a statement of material facts in accordance with Local Rule 56.1 will result in the facts set forth in defendants' statement of material facts (Doc. 29) being deemed admitted. See L.R. 56.1.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge